# NP9.1 - Complaints Procedure

This policy applies to the whole school including EYFS at Newton Prep

## Introduction

Newton Prep (the "School") takes very seriously its responsibility to provide both high quality teaching and pastoral care. However, if parents of current registered pupils do have a complaint, they can expect it to be treated by the School in accordance with this Complaints Procedure (the "Procedure").

This Procedure shall only apply to parents of current registered pupils, and to parents of former pupils if the complaint was initially raised whilst the pupil was still registered at the School. For the purposes of this Procedure "parent" means a holder of parental responsibility for a current or former pupil about whom the complaint relates.

This Procedure does not apply to complaints raised directly by pupils, which are addressed through the School's pastoral systems.

The primary purpose of this Procedure is to enable the School to deal with complaints. The School in this Procedure does not distinguish between 'concerns' and 'complaints'. Except as set out in this Procedure, any matter about which a parent is unhappy and seeks action by the School is regarded as a complaint and therefore falls within the scope of this Procedure.

## Associated Policies and documents:

Independent Schools Inspectorate (ISI) regulatory framework

The Education (Independent Schools Standards) Regulations 2014 as amended by the Independent Schools Education provision in England (Inspection Fees) (as amended) and Independent Schools Standards (Amendments) 2018 (ISS Regulations)
The Statutory Framework for the Early years Foundation Stage updated January 2024

Independent Schools Standards Guidance (April 2019)

ISI Inspection Handbook September 2024
ISI Inspection Framework September 2024

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# What Constitutes a Complaint?

A complaint is an expression of dissatisfaction with a real or perceived problem. It may be made about the School as a whole, about a specific department or about an individual member of staff. Except as set out in this Procedure, any matter about which a parent is unhappy and seeks action by the School is within the scope of this Procedure. A complaint is likely to arise if a parent believes that the School has done something wrong, failed to do something that it should have done or has acted unfairly.

Parents can be assured that all complaints will be treated seriously and confidentially. The School is here for the child and no child will be penalised for a complaint raised in good faith.

Correspondence, statements and records relating to individual complaints will be kept confidential except where the Secretary of State or the Independent Schools Inspectorate requests access to them.

Information may also be disclosed where required to comply with legal or regulatory obligations.

# Matters not within the Scope of this Procedure

This Procedure shall not apply to exclusions as set out in the Parent Contract or to the suspension, expulsion or removal of a pupil which shall be dealt in accordance with the Expulsion, Removal & Review Policy, which is available on the School's website.

If parents have any concern about the safety of their child, they should immediately notify the person they believe is best placed to take urgent action and such concerns should be confirmed in writing to the Head. Safeguarding related concerns should be raised via the reporting procedures set out in our Safeguarding and Child Protection Policy and Procedures.

The following are exempt from this Procedure because they are covered by separate procedures: matters likely to require a child protection investigation; whistleblowing; staff grievances and disciplinary procedures; and complaints about services provided by other providers who may use school premises or facilities. The policy does not apply to parents of prospective pupils.

There are particular requirements for EYFS settings. Written complaints about the fulfilment of the EYFS requirements must be investigated and the complainant notified of the outcome of the investigation within 28 calendar days.

# The Three-stage Complaint Procedure

## Stage 1 – Informal Resolution

(a) It is hoped that most complaints will be resolved quickly and informally.

(b) If parents have a complaint they should normally contact their child's Form Teacher either in person, or in writing (including e-mail). In many cases, the matter will be resolved straightaway, by these means, to the parents' satisfaction. If the Form Teacher cannot resolve the matter alone, it will be necessary for them to consult a Head of Department, the appropriate Head of Year or Deputy Head.

(c) Complaints made directly to a Head of Department, Head of Year or Deputy Head will usually be referred to the relevant Form Teacher unless the Head of Department, Head of Year or Deputy Head deems it appropriate for them to deal with the matter personally.

(d) If the complaint is made in writing, it will be acknowledged in writing within five working days of receipt during term time and as soon as practicable in the holidays but certainly within fifteen working days.

(e) The Form Teacher will make a written record of all complaints and the date on which they were received. Should the matter not be resolved within five working days or in the event that the Form Teacher and the parent fail to reach a satisfactory resolution then parents will be advised to proceed with their complaint in accordance with Stage 2 of this Procedure.

(f) If the complaint is against the Head, parents should make the complaint directly to the Chairman of the School Council whose contact details are available from the School Office.

## Stage 2 – Formal Resolution

(a) If the complaint cannot be resolved on an informal basis, then the parents should put their complaint in writing to the Head formally. The Head may in some circumstances deem it appropriate to nominate a staff member to hear the complaint and manage the Stage 2 complaint process. The parents should set out their complaint and include relevant supporting evidence. The parents should include an explanation of the actions they have already taken informally and confirm which members of staff have been involved. The parents should also include the actions which they feel might resolve the matter.

(b) In most cases, the Head (or their nominee) will speak to the parents concerned and arrange to meet them within ten working days of receiving the complaint during term time and fifteen working days during school holidays to discuss the matter. If possible, a resolution will be reached at this stage. It may be necessary for further investigation to be carried out. The Head (or their nominee) will determine who should carry out the investigation, taking as long as is reasonably necessary. The Head shall take reasonable steps to keep the parents informed of any expected delays due to such investigations.

(c) Once the Head is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and parents will be informed of the decision in writing. In most cases, the Head will make their decision and provide parents with reasons within fifteen working days of the complaint being put in writing. Occasionally, the timescale may have to be extended in school holidays as it may not be possible to investigate all aspects of the complaint during the school holidays. Where the issues raised have materially changed from those raised at Stage 1 of this Procedure, the Head may advise the parents that new matters will be referred back to Informal Resolution.

(d) Written records of all meetings and interviews held in relation to the complaint will be kept.

(e) Once the Head is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and parents will be informed of this decision in writing. The Head will also give reasons for their decision.

(f) If the complaint is against the Head, the Chairman will usually nominate a member of the School Council to investigate it. The Chairman or the nominated member will usually call for a full report from the Head and for all relevant documents and may also call for a briefing from members of staff. In most cases, the Chairman or nominated member will speak to or meet with the parents to discuss the matter further. The Chairman or nominated member will issue a written decision, giving reasons, once satisfied that, so far as is reasonably practicable, all of the relevant facts have been established. The parents and the Head will both receive a copy of the decision.

(g) If parents are still not satisfied with the decision, they should proceed to Stage 3 of this Procedure.

## Stage 3 – Panel Hearing

(a) If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution), they should submit a written request for a panel hearing to the Clerk to the School Council , Newton Prep, 149 Battersea Park Road, London SW8 4BX within ten working days during term time and fifteen working days during school holidays after receiving the Stage 2 decision. When submitting their request, the parents should set out clearly their grounds of appeal. Any supporting evidence which the parents wish to rely on should also be provided with their grounds of appeal. If parents are unable to provide their complaint within the time period stipulated due to extenuating circumstances which have impeded parents from taking action, the parents should request an extension in writing. The request must be made to the Clerk to the School Council in advance of the original deadline, setting out the further time period requested and the reason for this. This will be considered. In the event that the parents are unable to provide their complaint within the time period stipulated (including to the extent applicable any extensions if agreed) the School reserves the right to conclude the complaint process and not progress the matter to Stage 3. The parents' request will then be referred to a Complaints Panel for consideration of the merits of the complaint. The Complaints Panel shall also receive documents and records from the previous stages.

(b) The Chairman of the School Council will appoint a person (usually the Clerk to the School Council) to call hearings of the Complaints Panel. The appointed person will then refer the appeal to the Complaints Panel for consideration.

(c) The Complaints Panel will consist of at least three persons not directly involved in the matters detailed in the complaint. One of the panel members shall be independent of the management and running of the School, shall not be a member of the School Council, or a person who regularly acts for the School. Each of the Panel members shall be appointed by the Chairman of the School Council, who will then instruct the Clerk, on behalf of the Panel, to acknowledge the complaint within 5 working days and schedule a hearing to take place as soon as practicable and within 20 working days.

(d) The Panel will conduct proceedings in a manner that is fair and proportionate.

(e) If the Panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. Copies of such particulars shall be supplied to all parties not later than five working days prior to the hearing.

(f) Where the Panel considers that the parents have now submitted issues that would have had a material impact on the Stage 2 decision or are new and unrelated to the present complaint, the Panel may advise the parents that such matters will be referred to the Head to review under the previous stage.

(g) The Head may submit to the Panel a written statement setting out the School's views generally in relation to the complaint. A copy of the written statement shall be supplied to all parties not later than five working days prior to the hearing.

(h) The parents may be accompanied to the hearing by one other person. This may be a relative, teacher or friend. Legal representation will not be appropriate so the allowance for parents to be accompanied at a hearing does not entitle parents to insist on legal representation at the hearing. The parents must notify the School if they will be accompanied and provide details of the individual who shall attend no less than seven working days before the hearing.

(i) If the parents decide not to attend the hearing, the Panel Hearing will still proceed. The Panel should consider the parents' complaint and issue findings on the substance of the complaint thereby bringing the matter to a conclusion.

(j) Before the Panel Hearing, if the parents indicate that they are now satisfied and do not wish to proceed further, the Panel will determine whether the hearing should still proceed.

(k) If possible, the Panel will resolve the parents' complaint immediately without the need for further investigation. Where further investigation is required, the Panel will decide how it should be carried out.

(l) After due consideration of all facts they consider relevant, the Panel will make findings as to whether or not the Stage 2 decision was a reasonable one and accordingly decide whether to:

(i) dismiss the complaint(s) in whole or in part;

(ii) uphold the complaint(s) in whole or in part; or

(iii) make recommendations.

The Panel's decision will be made on the balance of probabilities. It is not within the Panel's power to make any financial award, nor to impose sanctions on staff, pupils or parents.

(m) With regard to matters raised in the course of the complaint, the Panel may make recommendations to the Head as appropriate.

(n) The Panel will write to the parents and to the person being complained about informing them of its decision and the reasons for it within five working days of the hearing (although additional time may be required if it is necessary to carry out further investigations following the hearing). The Panel's decision is final.

(o) A copy of the Panel's findings and recommendations (if any) will be sent by electronic mail or otherwise given to the parents, and, where relevant, the person complained about as well as the Chairman of the School Council and the Head. A copy of the Panel's findings and recommendations (if any) will also be available for inspection on the School premises by the Chairman of the School Council, the Head and the Clerk to the School Council.

# Timeframe for dealing with complaints

All complaints will be handled seriously, sensitively and within clear and reasonable timescales.
It is in everyone's interest to resolve a complaint as speedily as possible: the School's target is to complete the first two stages of the procedure within 20 working days during term time (and 40 working days during school holidays). Stage 3, the Appeal Panel Hearing, will be completed within a further 25 working days (or 40 working days during school holidays) .

Please note that, for the purposes of this procedure, working days refers to weekdays (Monday to Friday) during term time, excluding bank holidays and half term. This means that during School holidays it may take longer to resolve a complaint although the School will do what is reasonably practicable to avoid undue delay. It may also take longer to resolve a complaint during periods of significant disruption to School life or as a consequence of unavoidable staff absence, however deviation from the normal timescale for resolving a complaint during term time will only occur on an exceptional basis, and the School will take all reasonable steps to limit any such delay.

# EYFS

Parents of EYFS pupils should follow the three stages of the Complaints Procedure. Where the School receives a written complaint about the fulfilment of EYFS requirements, the complaint shall be investigated and the parents notified of the outcome of the investigation within 28 days of receiving

the complaint. If parents remain dissatisfied and their complaint is about the School's fulfilment of the EYFS requirements, then parents may take their complaint to the ISI or Ofsted.

The School will provide ISI/Ofsted with a written record of all complaints made during any specified period, and the action which has been taken as a result of each complaint. The record of any such complaints will be kept in accordance with its Privacy Notice and Retention of Records.

Parents may complain directly to Ofsted or to ISI if they believe that Newton Prep is not meeting the EYFS requirements.

(a) Ofsted may be contacted on 0300 123 1231 or by email: enquiries@ofsted.gov.uk; Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD;

(b) ISI may be contacted on 020 7600 0100 or by email: concerns@isi.net; ISI, CAP House, 9-12 Long Lane, London EC1A 9HA.

The School will advise parents if the School's EYFS setting is to be inspected and after the inspection provide a copy of the report to parents of children attending the School.

# Recording Complaints and Data Protection

Following resolution of a complaint, the School will keep a written record of all complaints will be kept for a minimum period of seven years, whether they are resolved at the preliminary stage or proceed to a panel hearing, and any action taken by the School as a result of the complaint (regardless of whether the complaint is upheld). Where a complaint includes allegations of abuse, a written record will be preserved for the term of the Independent Inquiry into Child Sexual Abuse and at least until the accused has reached normal pension age or for a period of 10 years from the date of the allegation if that is longer. In the case of a complaint relating to a child in the EYFS the record will state the action taken as a result of the complaint.

If a Panel Hearing is held at Stage 3 of this Procedure, a copy of the findings and recommendations of the Panel will be kept at School for inspection by the Proprietor, Head and the Clerk to the School Council for at least seven years.
In relation to this Procedure, the School processes data in accordance with its privacy and data retention policies. When dealing with complaints the School (including any panel member appointed under Stage 3 of the process) may process a range of information, including:

(a) Date when the issue was raised;

(b) Name of parent;

(c) Name of pupil;

(d) Description of the issue;

(e) Records of all the investigations (if appropriate);

(f) Witness statements (if appropriate);

(g) Name and contact details of member (s) of staff handling the issue at each stage;

(h) Copies of all correspondence on the issue (including emails and records of phone conversations);

(i) Notes/minutes of any meeting and/or hearing;

(j) Panel's written decision.

This may include 'special category personal data' (as further detailed in the School's Privacy Notice and Data Protection Policy, but potentially including, for instance, information relating to physical or mental health) where this is necessary owing to the nature of the complaint. This data will be processed in accordance with the School's Data Protection Policy.

Correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008 requests access to them. There may also be other circumstances in which the School is required to share information relating to a concern or a complaint in order to comply with its legal or regulatory obligations. The School will keep records of formal complaints and Complaints Panel hearings, as required by regulation. It will do so in accordance with its Privacy Notice and Data Protection Policy.

Correspondence, statements and records relating to individual complaints are to be kept confidential except: to the extent required by paragraph 33(k) of the Schedule to the Education (Independent Schools Standards) Regulations 2014, where the Secretary of State or a body conducting an inspection under section 109 of the Education and Skills Act 2008 requests access to them; where disclosure is required in the course of an inspection; or where required by law.

# Closure of Complaints

Very occasionally, the School will feel that it needs to close a complaint where Stages 1-3 of this Procedure have been completed and the complainant is still dissatisfied. Despite the School's attempts to resolve a complaint, it is sometimes not possible to meet all of the parent's wishes and there must be an agreement to disagree as in some cases it may not be possible to reach a mutually acceptable outcome.

If a parent persists in making representations to the School, then it can be extremely time-consuming and detract from the School's responsibility to look after all the children in its care.

Where repeated attempts are made by a parent to raise the same complaint after it has been considered at all of Stages 1-3 of this Procedure, this may be regarded as vexatious and outside the scope of the policy. For this reason, the School is entitled to close correspondence (including personal approaches, telephone calls, letters or emails) on a complaint where the School feels it has

taken all reasonable action to resolve the complaint and all of Stages 1-3 of this Procedure have been exhausted.

Where a parent has completed Stage 3 of this Procedure and is still unhappy with the outcome or decision, then the parent may wish to contact the Department for Education (DfE) School Complaints Unit via the DfE website. The DfE advise that unless a school is shown to have behaved unreasonably or not to have followed their own procedures, there is likely to be little further action that can be taken, as governing bodies are empowered to deal with many issues without reference to either the local authority or the Secretary of State.

# Serial and Unreasonable Complaints and Unacceptable Behaviour

The School is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact that parents seeking to complain have with the School. However, we do not expect our staff to work through unreasonable complaints or tolerate unacceptable behaviour and will take action to protect staff from such behaviour, including that which is abusive, offensive or threatening.

The School considers unreasonable behaviour as that which hinders consideration of any complaint because of the frequency or nature of a complainant's contact with the School.

The School may consider a complaint unreasonable where a parent complaining:

(a) refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;

(b) refuses to co-operate with the complaints investigation process;

(c) refuses to accept that certain issues are not within the scope of the complaints procedure;

(d) insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice;

(e) introduces trivial or irrelevant information which they expect to be taken into account and commented on;

(f) raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;

(g) makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;

(h) changes the basis of the complaint as the investigation proceeds;

(i) repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);

(j) refuses to accept the findings of the investigation into that complaint where this Procedure has been fully and properly implemented and completed including referral to the Department for Education;

(k) seeks an unrealistic outcome; or

(l) makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

The School will not tolerate unacceptable behaviour, if the parent complaining:

(a) does so maliciously;

(b) uses threats to intimidate any member of the School's community;

(c) uses abusive, offensive or discriminatory language;

(d) acts in aggressive or violent manner;

(e) knowingly provides falsified information; or

(f) publishes unacceptable information through any channel including, newspapers, social media or other public forums, and

the complaint will be treated as unreasonable accordingly.

Parents should try to limit their communication with the School that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

Whenever possible, the Head will discuss any concerns with the parent informally before applying an 'unreasonable' marking to a complaint.

If the behaviour continues, the Head will write to the parent explaining that their behaviour is unreasonable and ask them to change it. For parents who excessively contact the School causing a significant level of disruption, the School may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

In response to any serious incident of aggression or violence, the School will immediately inform the police and communicate about the incident and what actions the School has already taken. This may include barring an individual from the School.

# Monitoring and Evaluation

At least once each term the Head and SLT consider all parental complaints and ensure that relevant and appropriate actions are taken.

In addition, the Head regularly discusses current complaints with the Chairman; this is a standing item at their weekly meetings.

Newton Prep will provide ISI or Ofsted, on request, with a written record of all complaints made during any specified period, and the action which was taken as a result of each complaint. The record of any such complaints will be kept for at least three years.

# Further Points

Except as required by law, the parties may agree, in writing, alternative timescales between themselves.

At any time, if as a result of any investigation, the School has any concerns relating to safeguarding, then these will be reviewed in accordance with our Safeguarding and Child Protection Policy and Procedures and, the complaint may be suspended or closed as appropriate.

In accordance with paragraph 33(b) of the Schedule to the Education (Independent School Standards) Regulations 2014, this Procedure is made available to parents of current registered pupils on the School's website and is also available during the school day on request from the Bursar.

In accordance with paragraph 32(1)(b) of the Schedule to the Education (Independent School Standards) Regulations 2014, this Procedure is made available to parents of pupils and of prospective pupils and, the School will provide, on request, to the Chief Inspector, the Secretary of State or an independent inspectorate, details of this Procedure and the number of complaints registered under the formal procedure during the preceding school year. (Please see the record of complaints at the end of this document.)

# Record of Complaints

Number of complaints registered under the formal procedure during the preceding school year: None.

Accessing the Policy: This policy is also available in various formats to allow everyone to access it Please contact the Bursar to request a copy of this policy in an alternative form.

# Review and Update Process

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| **Last update** | September 2026 |
| **Next update** | September 2027 |